

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA.

Plaintiff

vs.

3:12-CR-224

RICHARD J. HARLEY.

Defendant

MOTION FOR RETURN OF PROPERTY

Richard Harley, Defendant in the above-captioned matter, requests that this Court direct the United States to return certain personal property seized by Government agents from his home in Monroe County, Pennsylvania. In support of that request and by and through undersigned counsel, he represents as follows:

1. On August 29, 2012, Federal Agents seized items of personal property from the residence of Richard J. Harley at 45 A Skyview Circle, Shawnee on Delaware, Pennsylvania 18356.

2. Harley through counsel has personally filed a motion with this Court contending that the search was unlawful and that fruits of the search be suppressed.

3. Harley, additionally, has briefed the issue as has the United States through Assistant U.S.A. Bruce Brandler.

4. On April 24, 2012, counsel has contacted Assistant U.S.A. Brandler requesting 14 items seized on August 29, 2012 that are important to Harley personally and are not relevant to the Government's case. (List of items attached as Exhibit A)

5. Harley filed the attached list in response to Assistant U.S.A. Brandler's request for a more detailed list in response to Harley's previous request. The Government returned items 1 and 2 in response and has not returned the others.

6. Harley incorporates by reference his Motion to Suppress and Brief in Support previously filed in this case as support for his request here.

WHEREFORE, this Court for the reasons stated herein should direct the Government to return the items listed in Exhibit A and seized from Harley's residence.

Respectfully submitted,

/s/ William Ruzzo

WILLIAM RUZZO, ESQUIRE
Attorney I.D. #75865
590 Rutter Avenue
Kingston, PA 18704
(570) 288-7799
Fax (570) 288-7798

PERSONAL ITEMS TO BE RETURNED

1. JACQUELINE KUBE'S PASSPORTS, PASSPORT CARDS AND LEATHER PASSPORT HOLDER
2. JACKIE'S DRIVER LICENSE
3. CAR BOOKS
4. 3 BRIEFCASES (1 LARGE BROWN LEATHER BRIEFCASE, 1 LARGE BROWN LEATHER PROFOLIO, 1 BEIGE CANVAS PROFOLIO)
5. ATTORNEY CHRIS BOWER, and ATTORNEY PHIL LAUER LEGAL PAPER WORK
6. EMPTY MEMORY STICK
7. ALL EMAILS SENT AND RECEIVED REGARDING HOMEOWNERS ASSOC.
8. ALL HOMEOWNERS ASSOC. INVOICES
9. 2 LEATHER DIARY'S CASES (1 BLACK LEATHER, 1 BROWN LEATHER)
10. REPAIR FRONT DOOR
11. ALL LEGAL RESEARCH PAPER WORK
12. ALL INSURANCE PAPERS-HOME AND CAR
13. ALL MORTGAGE PAPERWORK
14. FILES CONTAINING INFORMATION REGARDING THE COLONADE AND PAVILION APARTMENT COMPLEX DATED IN THE MID 80'S, INCLUDING AN MAI APPRASAL REPORT

Hervary

Please send out by Fed Ex or UPS ground to 45 A Skyview Circle, Shawnee on Delaware, Pa. 18356

1/8/13 9:16 am